

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL D. LAMARCHE,

Defendant.

No. CR17-235-JLR

~~PROPOSED~~

**PROTECTIVE ORDER
RESTRAINING STOCK SHARE NO. 7
IN THE BOSTON ROSE DOCK
ASSOCIATION AND THE
ASSOCIATED MOORAGE RIGHTS
AT 2201 FAIRVIEW AVE E., SLIP 7,
SEATTLE, WASHINGTON**

THIS MATTER comes before the Court on the United States' Amended Motion for Entry of a Protective Order ("Motion") seeking to restrain, for the pendency of this case, the following property:

Stock Share No. 7 in the Boston Rose Dock Association, a non-profit cooperative dock association, and the associated moorage rights at 2201 Fairview Ave. E., Slip 7, Seattle, Washington.

The Court, having reviewed the papers and pleadings filed in this matter, including the United States' Motion and supporting materials, hereby FINDS entry of a protective

1 order restraining the above-identified stock share and associated moorage rights is
2 appropriate because:

- 3 • The stock share and associated moorage rights are owned by the Defendant Paul
4 D. LaMarche and his wife, Mary E. LaMarche;
- 5 • The Defendant Paul D. LaMarche has been indicted with Wire Fraud and Theft of
6 Government Property, on allegations that he fraudulently obtained disability
7 payments from the Railroad Retirement Board (Dkt. No. 1);
- 8 • Any proceeds the Defendant obtained as a result of the Wire Fraud and/or Theft of
9 Government Property are forfeitable pursuant to 18 U.S.C. § 981(a)(1)(C) and 28
10 U.S.C. § 2461(c);
- 11 • Based on the record presented, the Court concurs there is probable cause to believe
12 the disability payments the Defendant is alleged to have fraudulently obtained
13 were used to make the loan payments on the stock share and associated moorage
14 rights; and,
- 15 • To ensure the stock share and associated moorage rights remain available for
16 forfeiture and for restitution to the Railroad Retirement Board, their restraint is
17 appropriate.

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19 NOW, THEREFORE, THE COURT ORDERS:

- 20 1. The United States' Motion is GRANTED;
- 21 2. The stock share and associated moorage rights shall be RESTRAINED for
22 the duration of this case, to include any post-conviction forfeiture proceedings;
- 23 3. The terms of the restraint are as follows:
 - 24 a. The Defendant and his wife are prohibited from selling, transferring, or
25 further encumbering the stock share and associated moorage rights; and,
 - 26 b. The Defendant and his wife shall maintain the value of the stock share
27 and associated moorage rights by continuing to make all payments on
28 the Seattle Metropolitan Credit Union loan and by continuing to

1 perform any and all dock association obligations, financial or otherwise,
2 associated with the stock share;


3 4. The United States may request the Court modify this protective order if it
4 becomes necessary to protect the government's interest in the stock share and associated
5 moorage rights.

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7 IT IS SO ORDERED.

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9 DATED this 13th day of October, 2017.

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12 
13 THE HON. JAMES L. ROBART
14 UNITED STATES DISTRICT JUDGE
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16 Presented by:

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